

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
 ) Prior Application  
Marc ALIZON et al. )  
 ) Group Art Unit: 1648  
Appln. No.: Not yet assigned )  
 ) Examiner: Parkin, J.  
Filed: February 19, 2002 )  
 )  
For: VARIANT OF LAV VIRUSES )  
 )

Commissioner for Patents and Trademarks  
Washington, DC 20231

Sir:

**PRELIMINARY AMENDMENT**

Prior to the examination of this application, please amend this application as follows:

**IN THE CLAIMS:**

Please cancel claims 1-22.

Please add claims 23-28 as follows:

--23. (New) An immunogenic, HIV-1 Env peptide of 5-150 amino acid residues of LAV<sub>MAL</sub> Env sequences in Figures 3A-3F; wherein at least one amino acid residue of said peptide is substituted in all of the sequences designated LAV<sub>BRU</sub>, ARV2, and LAV<sub>ELI</sub> in Figures 3A-3F; wherein said peptide binds to antibodies in AIDS patient sera; and wherein said antibodies are capable of binding to viral antigens encoded by the LAV<sub>MAL</sub> molecular clone having C.N.C.M. accession number I-641.

24. (New) The peptide of claim 23, wherein said peptide is generated by chemical cleavage.

25. (New) The peptide of claim 23, wherein said peptide is expressed from a recombinant DNA.

26. (New) The peptide of claim 23, wherein said peptide is generated by chemical synthesis.

27. (New) A method for detecting antibodies to HIV and neutralizing antibodies to HIVgp120 in an immunoassay by using the peptide of claim 23 as an immunosorbent.

28. (New) A method of eliciting neutralizing antibodies to HIV in a mammal by introducing into a mammal the peptide of claim 23.

#### REMARKS

Applicants have filed this divisional application to pursue nonelected claims from the parent application. Applicants request that the Examiner consider this application and examine these claims.

If there is any fee due in connection with the filing of this Preliminary Amendment, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 19, 2002

By: Rebecca M. McNeill  
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